

REMARKS

Claims 1-37 are all the claims pending in the application. By this Amendment, Applicants amend claims 9, 11, 18, 19, 22, 24, 32, and 34 for purposes of clarity and consistency. Applicants submit, however, that the amendments do not narrow the scope of the claims in any way, and thus do not create any estoppel in the application of the doctrine of equivalents.

Claim Rejections - 35 U.S.C. § 103

Claims 1-3, 5, 6, 22, 35, and 36 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Iverson (U.S. Patent No. 6,957,075) and Zancho (U.S. Patent No. 5,814,798). Claims 4, 8-16, 18-21, and 23-34 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Iverson, Zancho, and Dong *et al.* (U.S. Pub. No. 2002/0105543, hereinafter “Dong”). Claim 7 rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Iverson, Zancho, and Nakajima (U.S. Patent No. 7,095,456). Claim 37 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Iverson, Zancho, and Miller *et al.* (U.S. Pub. No. 2003/0046557, hereinafter “Miller”). Claim 17 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Iverson, Dong, Zancho, and Nakajima.

For *at least* the following reasons, Applicants respectfully traverse the rejection.

Applicants respectfully submit that claim 1 is patentable over the proposed combination of Iverson and Zancho. For example, claim 1 relates to a user interface (UI) support apparatus. The UI support apparatus comprises, *inter alia*, a UI support module operable to store input/output modules as stored input/output modules, wherein the stored input/output modules are selected corresponding to conditions of respective users, in an input/output module storing

unit. The UI support module is further operable to search the input/output module storing unit for a specific input/output module of one of the respective users, operable to execute the specific input/output module, and operable to support a UI meeting a condition of the one of the respective users. The UI support module comprises an input/output module selecting unit including a mapping of each of the respective users with corresponding at least one of the stored input/output module.

The Examiner acknowledges that Iverson does not disclose the claimed mapping, but cites Zancho's col. 1, lines 10-12, col. 2, lines 31-45, col. 9, lines 49-55, and col. 10, line 52 to col. 11, line 11 as allegedly teaching this feature. Further, the Examiner contends that “[s]ince Iverson teaches the need for adjusting a user interface and perceived functionality based on location or user [Iverson, column 2, lines 11-14], it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a mapping of each of the respective users with corresponding at least one of the appliance personalities, as taught by Zancho. This would allow preferences to be conveniently established for users of various devices” (Office Action, page 5, emphasis added). Applicants respectfully disagree.

For instance, neither Iverson nor Zancho teach or suggest a UI support module operable to search the input/output module storing unit for a specific input/output module of one of the respective users, wherein the UI support module comprises an input/output module selecting unit including a mapping of each of the respective users with corresponding at least one of the stored input/output modules as set forth in claim 1. It has already been shown in the previous Amendments (filed August 14, 2007 and January 29, 2008) that Iverson does not teach or suggest these features. Rather, Iverson discloses an electronic appliance 100 which dynamically selects one of a number of interfaces depending on the current location of the electronic

appliance 100. Alternatively, a user may override the dynamically selected interface and select a interface. Therefore, Iverson discloses interfaces corresponding to a single user and does not disclose interfaces corresponding to multiple users. On the other hand, claim 1 recites that the stored input/output modules are selected corresponding to conditions of respective users.

Further, Iverson fails to disclose the claimed conditions of respective users. Rather, Iverson discloses that a user can select an alternate personality. In other words, the user in Iverson directly chooses a personality.

Turning to Zancho, it is directed to a system in which a user of multiple application devices can keep the user's preferences in a convenient location for use by the multiple application devices. See Zancho, col. 2, lines 30-57. A non-application device such as a portable memory card or widely accessible central database can serve as a donor device to store and provide preferences to application devices. Also, application devices containing the donor device function can also serve as a donor device and communicate with other application devices. Real time access can be provided through a network to a user's reference preference set in a reference preference memory located in any convenient application or donor device.

That is, the mapping in Zancho is between a single user and the multiple application devices (and the corresponding user preferences related thereto). Therefore, Zancho also cannot teach or suggest a mapping of each of the respective users with corresponding at least one of the stored input/output module as set forth in claim 1.

Although Zancho teaches with reference to another embodiment that the donor device can provide preferences for more than one user in col. 9, lines 49-55, this embodiment also fails to teach the claimed mapping. In particular, Zancho discloses that a preference selection vector 1240 is sent from the application device 1210 to the donor device 1230 to access one or more

preferences 1280 from a reference preference memory 1220. This preference selection vector 1240 is derived by the application device 1210 based on the situation such as, for example, the application device type 1270 and the application type 1275 being used. The preference selection vector 1240 represents axes of access of characteristics of the needed attributes (Zancho, col. 9, lines 22-42).

Based on this preference selection vector 1240, the donor device 1230 predicts preferences for the application device corresponding to the user (Zancho, col. 9, lines 56-64, and col. 10, line 64 to col. 11, line 4). On the other hand, the claimed input/output module selecting unit includes a mapping of each of the respective users with corresponding at least one of the stored input/output module. This is not the case in Zancho, because if the donor device included a mapping between the user and his/her preferences as the Examiner alleges, there would be no need to predict the preferences.

For *at* least this reason, claim 1 is patentable over Iverson and Zancho.

Furthermore, Applicants respectfully submit that the Examiner is impermissibly relying on hindsight in an effort to render the claimed invention unpatentable. For example, as noted above, the Examiner contends that a skilled artisan would draw from the teachings of Zancho and incorporate them in Iverson's system because Iverson teaches the need for adjusting a user interface and perceived functionality based on location or user. This is not the case in Iverson, however. Rather, Iverson discloses an electronic appliance 100 which dynamically selects one of a number of interfaces depending on the current location of the electronic appliance 100, or that the user can override the dynamically selected interface and manually select an interface. As such, Iverson does not discuss any need for adjusting a user interface and perceived functionality based on a user, as the Examiner incorrectly alleges.

Zancho's donor device, as discussed above, also relies on input (i.e., a preference selection vector 1240) from the subject application device to predict preferences related to the application device among different application devices. Since Iverson's system is based on a location of a particular appliance, whereas Zancho's system is based on a type of an application device, there is no reason a skilled artisan would draw from the teachings of Zancho, absent Applicants' own disclosure.

MPEP § 2141.III states that “[t]he key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in *KSR* noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit. The Court quoting *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006), stated that '[R]ejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness'”.

Here, there is no adequate rationale provided in the Office Action that supports the Examiner's position that the combination of Iverson and Zancho is obvious. The motivation to have a mapping of each of the respective users with corresponding at least one of the stored input/output module along with all the other features of the claim is only found in Applicants' own disclosure.

Moreover, MPEP 2145.X.A citing *In re McLaughlin* 443 F.2d 1392, 1395, 170 USPQ 209, 212 (CCPA 1971) states that "[a]ny judgment on obviousness is in a sense necessarily a reconstruction based on hindsight reasoning, but so long as it takes into account only knowledge which was within the level of ordinary skill in the art at the time the claimed invention was made and does not include knowledge gleaned only from applicant's disclosure, such a reconstruction

is proper" (emphasis added). Since the Examiner has not provided an adequate basis for combining the teachings of Iverson and Zancho, a *prima facie* case of obviousness has not been established.

Accordingly, Applicants respectfully request withdrawal of the improper 35 U.S.C. § 103(a) rejection.

Applicants further submit that the remaining independent claims 8, 13, 22, 28 and 30 are patentable for *at least* reasons similar to those submitted for claim 1, and the dependent claims are patentable *at least* by virtue of their dependencies.

In addition, Applicants submit that claims 35 and 36 are patentable for reasons other than their dependency. For example, claim 35 recites that the input/output selecting unit searches the mapping for the specific input/output module corresponding to one of the users, to provide a searched input/output module. As noted above, in Zancho, there is no searching of a mapping to obtain the preferences for the subject application device. Instead, the donor device predicts the preferences.

Claim 36 recites that the mapping is prestored in the input/output module selecting unit and the input/output selecting unit searches the prestored mapping for the specific input/output module corresponding to the one of the users, to provide a searched input/output module. If the claimed mapping was prestored in Zancho, there would be no need for the donor device to carry out prediction processing. Accordingly, claim 36 is patentable over the prior art of record.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


S. Stuart Lee
S. Stuart Lee
Registration No. 61,124

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: August 25, 2008